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Attorney for Defendant
DAVID TALCOTT USSERY

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. Cr. S 05-34 LKK
)	
Plaintiff,)	REQUEST TO MODIFY SCHEDULING
)	ORDER; ORDER
v.)	
)	<u>RETROACTIVE CRACK COCAINE</u>
DAVID TALCOTT USSERY,)	<u>REDUCTION CASE</u>
)	
Defendant.)	
)	
_____)	

Defendant DAVID TALCOTT USSERY, by and through his attorney,
Assistant Federal Defender David M. Porter, hereby requests the Court
issue the order lodged herewith modifying the briefing schedule in
conjunction with the filing of an amended motion to reduce sentence
pursuant to 18 U.S.C. § 3582(c)(2), to permit counsel to review the
sentencing transcript and the defendant's prison disciplinary records.
Counsel for plaintiff, Assistant U.S. Attorney Anne E. Pings,
graciously indicated that she has no objection to the proposed

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1 schedule.

2 Dated: April 29, 2008

3 Respectfully submitted,

4 DANIEL J. BRODERICK
5 Federal Defender

6 /s/ David M. Porter
7 DAVID M. PORTER
8 Assistant Federal Defender

9 Attorney for Movant
10 DAVID TALCOTT USSERY

11 O R D E R

12 For the reasons set forth above, and good cause appearing
13 therefor, the Court modifies the following schedule as follows:

14 Amended Motion: Due May 6, 2008


15 Government Response: Due May 20, 2008

16 Reply: Due May 27, 2008

17 Hearing: June 3, 2008

18 IT IS SO ORDERED.

19 Dated: May 1, 2008

20 
21 LAWRENCE K. KARLTON
22 SENIOR JUDGE
23 UNITED STATES DISTRICT COURT
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